IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5605 OF 2006

Arjun D. Mathe & Ors. ....Petitioners
V/s.
The State of Maharashtra & Anr. ....Respondents

Mr.P.S. Dani for the Petitioners.
Mr.P.P. Kakade, AGP for Respondent Nos.1 and 2.

CORAM : F.I. REBELLO, &
S.J. VAZIFDAR, JJ.
DATED : 12TH FEBRUARY, 2007.

P.C. :

1. The case of the Petitioners is that considering the decision of the State Government to consider the shares of the daughters for the purpose of working out the surplus land under the U.L.C. Act, the Respondents are bound to consider their representations/application. That has been disposed of without hearing them. In the reply by Mr.T.G. Pawar, Additional Collector and Competent Authority, Nashik, it is stated that the said land has been allotted to Shri Rangnath Mama Mogal Vidyaprasarak Mandal as per the decision taken by Cabinet Sub Committee held on 16.6.2006. There is nothing on record to indicate that the possession of land has been parted with and/or the allottee has paid the

money and/or consideration for the land. In the light of that, the following order :-

i). The order dated 16.8.2006 and the communication dated 28.2.2006 are quashed and set aside. The matter is remanded back to Respondent No.1 for consideration of the Petitioner’s application/revision and thereafter after giving the hearing to the Petitioner, pass an appropriate order not later than three months from today.

2. With the above observations, the Writ Petition is accordingly disposed of.

(S.J. VAZIFDAR, J.) (F.I. REBELLO, J.)